

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>(1) KERRY J. FARMER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 15-CV-669-GKF-PJC</b>
	)	
<b>(1) STATE FARM AUTO INSURANCE</b>	)	
<b>COMPANY, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE OF REMOVAL**

The Petitioner, State Farm Auto Insurance Company (“State Farm”), Defendant in the above-captioned case, states the following:

1. The above-entitled cause was commenced in the District Court of Tulsa County, entitled Kerry J. Farmer v. State Farm Auto Insurance Company, Case No. CJ-2015-3207. State Farm was served Summons and Petition on November 2, 2015. A copy of Plaintiff’s Petition setting forth his claims for relief upon which the action is based is attached hereto and marked Exhibit 1. A copy of the Summons served upon State Farm is attached hereto and marked Exhibit 2.

2. State Farm is incorporated and has its principal place of business in the State of Illinois. Plaintiff is a citizen and resident of the State of Oklahoma, residing in Tulsa County, Oklahoma. (*See* Petition, p. 1, ¶ 1, Exhibit 1). Plaintiff’s cause of action is for alleged breach of an automobile insurance policy, alleged breach of the implied duty of good faith and fair dealing, and alleged violation of the Oklahoma Consumer Protection Act. The matter in controversy between Plaintiff and Defendant, according to Plaintiff’s demand, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interests and costs. (*See* Plaintiffs’ Petition, p. 2, ¶ 11,

p. 3, Exhibit 1).

3. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332 (1992), by reason of the fact this is a civil action wherein the amount in controversy, according to Plaintiff's demand, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interest and costs and is between citizens of different states. Accordingly, this action may be removed by State Farm pursuant to 28 U.S.C. § 1441(a).

4. This Notice of Removal is filed in this Court within thirty (30) days after November 2, 2015, the date State Farm was served with a copy of Plaintiff's Petition, which was the initial pleading setting forth the claims for relief upon which this action is based. (*See* Summons and envelope, Exhibit 2).

5. Copies of all process and pleadings served upon State Farm have been attached hereto as follows: Petition, Exhibit 1; Summons (including envelope), Exhibit 2; Entry of Appearance, Exhibit 3. Pursuant to LCvR 81.2, a copy of the state court docket sheet is attached as Exhibit 4.

**WHEREFORE**, State Farm prays this action be removed.

Dated this 23<sup>rd</sup> day of November, 2015.

Respectfully submitted,

**ATKINSON, HASKINS, NELLIS,  
BRITTINGHAM, GLADD & FIASCO**  
A PROFESSIONAL CORPORATION

/s/ John S. Gladd  
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Attorneys for Defendant State Farm

**Certificate of Service**

I hereby certify that on November 23, 2015, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Brendan M. McHugh, OBA #18422  
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/s/ John S. Gladd